

RENTON CITY COUNCIL
Regular Meeting

January 25, 1999
Monday, 7:30 p.m.

Council Chambers
Municipal Building

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

KING PARKER, Council President; DAN CLAWSON; KATHY KEOLKER-WHEELER; BOB EDWARDS; TONI NELSON; RANDY CORMAN; TIMOTHY SCHLITZER.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; LARRY WARREN, City Attorney; MARILYN PETERSEN, City Clerk; MICHAEL KATTERMANN, Director of Neighborhoods & Strategic Planning; BETTY NOKES, Director of Economic Development; GLENN KOST, CIP Manager; VICTORIA RUNKLE, Finance & Information Services Administrator; PAUL KUSAKABE, Fiscal Services Director; JANA HUERTER, Principal Planner; TOM BOYNS, Property Services Supervisor; LISA GRUETER, Senior Planner; DEREK TODD, Finance Analyst; COMMANDER KATHLEEN MCCLINCY, Police Department.

**APPROVAL OF
COUNCIL MINUTES**

MOVED BY PARKER, SECONDED BY SCHLITZER, COUNCIL APPROVE THE MINUTES OF JANUARY 11, 1999 AS PRESENTED. CARRIED.

PUBLIC HEARINGS

Vacation: Lake View Blvd (104th Ave SE), Legacy Partners/VAC-98-004

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider the petition for a street vacation of a portion of Lake View Boulevard (104th Ave. SE) for Legacy Partners/Martindale, et al. (VAC-98-004).

Tom Boyns, Property Services Supervisor, explained that the vacation is being requested to facilitate a proposed development project called "The Bluffs" between Lake Washington Blvd. and I-405, south of N. 20th Street. The signatures on the petition represent 90% of the frontage along the right-of-way to be vacated.

Mr. Boyns reported that earlier street vacations have rendered this remaining section of Lake View Blvd. without public access. The City has neither any facilities within the right-of-way, which is undeveloped, nor does it have any plans to use it. Staff and the Board of Public Works both recommend that the vacation be granted as requested.

Responding to Council President Parker, Mr. Boyns said the right-of-way was dedicated to the City at the time this area was platted. Because no public funds were expended to acquire the property, Council can set the compensation to be provided up to one-half of its appraised value. Mr. Boyns added that the property amounts to just over two acres in size.

Audience comment was invited. There being none, it was MOVED BY PARKER, SECONDED BY EDWARDS, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY PARKER, SECONDED BY NELSON, COUNCIL APPROVE THE STREET VACATION OF LAKE VIEW BLVD. AS REQUESTED. CARRIED.

Planning: R-10 and R-14
Zoning Code Amendments

Councilmember Keolker-Wheeler requested that the Administration urge the King County Assessor's Office to place this property on the tax rolls as soon as possible after the vacation is finalized. Saying that Renton's taxpayers deserve to have this done as quickly as possible, she noted that in similar cases in the past, it has taken the County as long as two or three years to complete this process.

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider proposed R-10 (single and multi-family) and R-14 (multi-family) Zoning Code amendments (10 units per acre and 14 units per acre, respectively); including density bonus, smaller lot sizes, and other changes to development standards.

Lisa Grueter, Senior Planner, explained that the proposed changes were developed in response to two "demonstration" projects, the Village on Union and The Orchards, both of which were designed to provide innovative home ownership opportunities in the City. The Village on Union is made up of small lot single family homes along with nine attached townhouse units. The demonstration portion of The Orchards project has 63 detached and 59 attached units in several configurations.

Ms. Grueter added that last year, Council approved a Comprehensive Plan amendment which offers a density bonus in the Residential Options designation that would allow a maximum of thirteen units per acre, on the condition that all the units are detached. The City hopes this will encourage small lot, detached unit development in the R-10 zone. Other proposed changes will ensure consistent terminology in these zones and remove language conflicts.

Continuing, Ms. Grueter described the specific changes, one of which is to define single family housing as traditional detached and semi-attached, and multi-family housing as including townhouses and flats. In the R-10 zone, the changes would: offer the aforementioned density bonus; clarify unit types based on the proposed new definition; allow for condominium ownership; delete the specific requirements for site plan review; reduce lot size, lot width, and lot depth standards; increase lot coverage and impervious surface allowances; and reduce building setbacks.

For townhouses, for example, the minimum lot width would be reduced from 50 feet to 20 feet, and the minimum lot size would decrease from 3,250 to 2,000 s.f. For detached and semi-attached units, the minimum lot would be reduced from 4,500 to 3,000 s.f., the maximum lot coverage would increase from 50% to 70%, and the maximum impervious surface allowed would increase from 60% to 75%. For all units, the minimum setback of the front yard to the primary structure would decrease from 15 feet to 10 feet.

In the R-14 zone, the changes would: clarify the unit types based on the proposed new definitions; clarify language conflicts relating to which development standards are applied to certain non-residential uses such as recycling collection stations and churches; and clarify fencing and buffering requirements for commercial uses.

Concluding, Ms. Grueter said that staff has distributed questionnaires to residents in both of the demonstration project areas to gather opinions of their neighborhood's quality. Responses are expected back next week.

Councilmember Keolker-Wheeler was concerned with some of the proposed reductions in lot size, width and depth. She questioned, for example, whether it would be appropriate to have the minimum width of a townhome be a mere 20 feet. Saying that Renton does not have to accept or agree to densities which are common in Seattle, she felt that it would be possible to provide opportunities for housing and home ownership without negative impacts.

Councilman Schlitzer looked forward to the results of the resident survey, emphasizing that all options should be explored in-depth on this issue.

Saying that the Village on Union project appears to have been successful, Councilman Corman noted that this development resulted in less overall density than the property's multi-family zoning would have allowed.

Councilman Parker wanted to know how much vacant land is currently available for which it would be economically feasible to apply the new development standards. He added that the potential for redevelopment will also have to be considered.

Audience comment was invited.

Dick Gilroy, 1560 - 140th Ave. NE, Bellevue, developer of The Orchards, described the various housing components of the project, which includes single family detached units as well as attached "fee title" homes and stacked, flat, two-story condominiums. As the project nears completion of its total 356 units, only about 50 units remain to be sold. Mr. Gilroy added that all of the units have sold prior to being completed, which attests to their success in meeting the demands of the market.

Councilman Corman was concerned that undue pressure not be placed on areas zoned R-8 to upzone to R-10, should the proposed changes be made. Councilmember Keolker-Wheeler added that the two demonstration projects had the advantage of working with large parcels, and the development standards might have considerably different impacts on areas surrounding much smaller R-10 properties.

Jack Willing, 11555 SE 8th St. #140, Bellevue, 98004, the developer of the Village on Union project, stated that both his project and The Orchards were successful due to having been well-planned and well-executed. He commented on current residential developments in Snohomish County where higher densities and smaller lot sizes are much more difficult to achieve.

There being no further public comment, it was MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

Councilmember Keolker-Wheeler noted that this item will remain in Planning & Development Committee pending a formal recommendation to the full Council and development of an ordinance.

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 1999 and beyond. Items noted included:

- * The Surface Water Division's channel project in the Maplewood Golf Course has been completed and water is now flowing from the detention pond through the course across the 10th and 11th fairways, under Maple

Valley Highway, to the fish ladder and on to the Cedar River.

- * The Fire Department has established a new program that will help citizens provide emergency responders with their medical history during an aid call. Residents can fill out a special Emergency Medical Information Sheet in advance, place it on the inside of the cupboard door located closest to their refrigerator, and place a red sticker dot on the outside of the door so firefighters know where the form is located.

AUDIENCE COMMENT
Citizen Comment: Browne –
“The Bluffs” Development,
Time Extension & Mitigation
Fees

Kim Browne, 1003 N. 28th Pl., Renton, 98056, spoke regarding a request by the developer of “The Bluffs” project for a time extension of its site plan approval. She feared that a significant amount of mitigation fees could be lost if the City does not condition any extension on the imposition of mitigation fees at current (rather than 1993) levels for all of the units to be built. She asked that the City also require that the developer implement the plan currently on the table and allow no major modifications.

MOVED BY KEOLKER-WHEELER, SECONDED BY EDWARDS,
COUNCIL SUSPEND THE RULES AND ADVANCE TO THE PLANNING
& DEVELOPMENT COMMITTEE REPORT ON THIS SUBJECT.
CARRIED.

**Planning & Development
Committee**

Development Services: “The
Bluffs” Development, Time
Extension & Mitigation Fees

Planning & Development Committee Chair Keolker-Wheeler presented a report recommending concurrence in the staff recommendation to approve the alterations to the Development Agreement for the residential development project known as “The Bluffs.” The alterations shall reflect the changes as submitted by the applicant, Legacy Partners; however, the Committee recommended a one-year extension to the approved site plan instead of a two-year extension as requested by the applicant. The applicant has offered to pay the current Park, Traffic and Fire mitigation fees for the additional 15 units, and the Committee recommended modifying the Development Agreement to reflect these additional units.

The Committee further recommended that the full Council authorize the Mayor and City Clerk to enter into an amended Development Agreement with the applicant, Legacy Partners.

MOVED BY KEOLKER-WHEELER, SECONDED BY SCHLITZER,
COUNCIL CONCUR IN THE COMMITTEE REPORT.*

Councilmember Keolker-Wheeler stated that the correct mitigation fees referred to by Mrs. Browne are as follows: Parks Mitigation Fee, 1999 - \$354.51/unit, 1993 - \$180.00/unit; Fire Mitigation Fee, 1999 - \$388/unit, 1993 - \$388/unit; and Traffic Mitigation Fee, 1999 - \$75/trip, 1993 - none assessed.

Mrs. Keolker-Wheeler added that in exchange for the additional 15 housing units to be built on the northwest section of the property, the developer will voluntarily update the mitigation fees for the additional units to 1999 levels as well as dedicate a native growth protection easement in a sensitive area.

*MOTION CARRIED.

Citizen Comment: Mandl –
Kennydale Open Space
Request

Marleen Mandl, 1408 N. 26th St., Renton, 98056, calculated that the park mitigation fees to be collected from three pending developments in the Kennydale area (namely, Labrador Ventures, Tamaron Pointe and The Bluffs) will total \$121,000. She felt that since these projects will take away a great deal of green space from this community, the City should use the park fees collected to preserve some open space for nearby, affected residents.

Councilman Clawson explained that the City uses much of its park mitigation fees for active recreation facilities such as sportsfields, which are heavily used by many residents throughout the City regardless of their location.

Ms. Mandl clarified that she was not asking for a full-blown park but rather something on a smaller scale such as a trail that residents could use to hike to and from Gene Coulon Park.

Responding to Council inquiry, City Attorney Lawrence J. Warren said that the Endangered Species Act will likely prohibit the establishment of a public trail near Kennydale Creek, particularly given the steepness of the ravine.

**MOVED BY CORMAN, SECONDED BY KEOLKER-WHEELER,
COUNCIL EXTEND THE TIME LIMIT FOR AUDIENCE COMMENT
BEYOND 30 MINUTES. CARRIED.**

Citizen Comment: Kirkman –
“The Bluffs” Development,
Time Extension

Pauline H. Kirkman, 1002 N. 35th St., Renton, 98056, supported the time period extension requested for The Bluffs development, explaining that her family owns a portion of this property. Ms. Kirkman added that she and the other property owners have held this area as a greenbelt for a long time, but they cannot afford to do so forevermore.

Citizen Comment: Orme –
Gambling Tax Rates

Ray Orme, 229 SW 41st St., Renton, 98055, opposed the proposal to increase the City’s tax on card room revenues from 10% to 20%. Explaining that his business, American Hospitality Communications, supplies communication systems for many casinos, he pointed out that the City derives other, non-casino revenues that are nevertheless tied to gambling uses.

Citizen Comment: Steiner –
Gambling Tax Rates

Fred Steiner, 1111 S. 3rd St., Renton, 98055, owner of Diamond Lil’s and Freddie’s, said that a 20% tax on card room gross proceeds would put him out of business as any downturn in the economy would affect his revenues. Adding that he employs about 400 workers, he warned that he would first be forced to terminate their health insurance coverage, which he currently provides for. Mr. Steiner further claimed that crime prevention needs do not justify an increase in this tax since he provides adequate security and surveillance to ensure that nothing illegal occurs at his establishments.

Mayor Tanner replied that he would not have proposed this change if other jurisdictions were not also considering it, or if he believed that the industry could not sustain it.

Citizen Comment: Browne –
Kennydale Open Space
Request

Kim Browne, 1003 N. 28th Pl., Renton, 98056, reiterated her request that the City use park mitigation fees to purchase a portion of the Labrador Ventures property for preservation as open space. Ms. Browne resubmitted a petition she originally presented in December of last year, signed by 52 Kennydale residents, which requested (in part) that “The northern slopes of Kennydale Creek ravine (be) protected by establishing a native growth protection easement within the area enclosed by lots 8-12.” (See page 33 for additional information on this subject.)

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of a Councilmember, item 7.e. was removed for separate consideration.

City Clerk: Quarterly Contract
List, 10/98-12/98

City Clerk submitted Quarterly Contract List for October 1 – December 31, 1998; 50 agreements totaling \$2,577,058.93. Information.

Court Case: 99-002, Angeles

Court Case filed by Angeles Metal Systems v. the City of Renton, et al. alleging

Metal Systems v Renton	that Central Contracting, a subcontractor on the City Hall remodel project, owes \$21,291.63 for materials that were delivered on credit, but never paid for. Refer to <u>City Attorney and Insurance Services</u> .
Parks: Maplewood Golf Course Scorecards, Western Specialty Products	Community Services Department recommended approval of an agreement with Western Specialty Products, Inc. for free Maplewood Golf Course scorecards in exchange for allowing the company to sell advertising for display on the cards. The City's annual cost savings would be \$3,000. Council concur. <u>Refer to Community Services Committee.</u>
Finance: Authorized Signatures for Bank Transactions	Finance & Information Services Department recommended approval of a resolution updating signature authorities for depositories and electronic fund transfers for the City, due to personnel changes. Council concur. (See page 34 for resolution.)
Public Works: Water Pipe Sanitization Fee	Planning/Building/Public Works Department recommended that the fee charged to developers to sanitize new water pipes with chlorine be collected up-front. Refer to <u>Utilities Committee</u> .
Technical Services: Database Modeling & Design Services, JA Young	Public Works Department requested approval of a contract in the amount of \$20,000 with JA Young and Co., Inc. as a sole source provider for database modeling and design purposes for the City's map data. Council concur.
Transportation: ETP Mobility Action Priorities	Transportation Systems Division submitted the Eastside Transportation Mobility Action Priorities, a guide to support implementation of regional and subregional transportation projects. Refer to <u>Transportation Committee</u> .
Streets: N 8th St & Houser Way Reconstruction, RW Scott Const	Transportation Systems Division submitted CAG-98-112, N. 8th St. and Houser Way reconstruction project; and requested approval of the project, authorization for final pay estimate in the amount of \$43,304.25, commencement of 60-day lien period, and release of retained amount of \$13,478.55 to R.W. Scott Construction Co., contractor, if all required releases are obtained. Council concur.
	MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEM 7.e. FOR SEPARATE CONSIDERATION AND TO CHANGE ITEM 7.c. FROM "Council concur" TO "Refer to Community Services Committee." CARRIED.
<u>Separate Consideration</u> <u>Item 7.e.</u> Finance: Gambling Tax Rates	Finance & Information Services Department recommended that the City's gambling tax rates be changed as follows: the pull-tab tax rate be decreased from 5% of gross receipts to 7% of net proceeds; and the card room tax rate be increased to 20% (from 10%) of gross receipts.
	MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL REFER THIS ITEM TO THE <u>FINANCE COMMITTEE</u> BUT NOT SET A PUBLIC HEARING DATE AT THIS TIME. CARRIED.
<u>OLD BUSINESS</u> <u>Planning & Development Committee</u> Annexation: East Renton Plateau Zoning	Planning & Development Committee Chair Keolker-Wheeler presented a report regarding zoning for the East Renton Plateau annexation. The Council referred the matter of zoning for the East Renton Plateau annexation to the Planning & Development Committee to consider the proposal and relevant issues prior to the second public hearing. Under State law, two public hearings, occurring at least thirty days apart, must be held prior to the adoption of a zoning ordinance for areas outside the city limits. The first public hearing was referred to the Planning Commission and held on November 18, 1998.
	The Committee recommended that the second required public hearing be

scheduled to take public comment on the zoning proposal on February 22, 1999. MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Development Services:
Labrador Ventures
Development, Citizen
Communications

Councilmember Keolker-Wheeler asked whether the Administration has responded to correspondence from James and Sally Scott, 1405 N. 28th St., who have invited staff and Councilmembers to meet with them and personally walk the Labrador Ventures development site. She explained that Councilmembers cannot get involved in this matter directly at this time, since it may well come before the Council later on appeal.

Finance Committee

HR&RM: Healthcare Plan
Changes

Finance Committee Chair Edwards presented a report recommending concurrence in the staff recommendation to implement modifications to the City's healthcare plan as recommended and proposed by the Healthcare Benefits Task Force, effective February 1, 1999. In addition to general plan language amendments, the changes also affect: chiropractic services; medically-accepted transplants; home health, hospice and skilled nursing care; congenital deformities and mastectomies; prescription drugs; and coverage of routine wellness exams.. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Vouchers

Finance Committee Chair Edwards presented a report recommending approval of Claim Vouchers 166639 - 167193 and one wire transfer totaling \$1,207,516.73; and approval of Payroll Vouchers 164474 - 164705 and 526 direct deposits in the total amount of \$1,299,666.48. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Transportation Committee

Vacation: Kirkland Pl NE,
Waiver of Appraisal &
Compensation (VAC-97-007)

Transportation Committee Chair Corman presented a report regarding the request to waive the appraisal and compensation for the Kirkland Pl. NE street vacation (VAC-97-007). On March 2, 1998, following the public hearing in this matter, the City Council approved the petition to vacate a portion of Kirkland Pl. NE for the development of the Kirkland Court plat, subject to several conditions. Subsequently, the developer sold its interest in the plat to a new developer. The new developer, Minden, Haring, Fitzgerald JV, has met all of the conditions of the street vacation within revisions to the plat and has requested that the City waive the appraisal portion of the process. They further request that the City accept the dedication of Tract A, which contains approximately 1.03 acres, in lieu of compensation for the vacated right-of-way.

The City will receive more land area than it is vacating, which is an area of approximately 3,718 square feet. Since all of the property in question is within the same immediate vicinity, the land value would be identical on a per square foot basis. Approving the request would expedite the process of final plat approval. The Committee recommended that Council approve the request, waive the appraisal, and accept the dedication of Tract A in lieu of compensation for this street vacation. MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Public Safety Committee

King County: Draft Regional
Services Funding Bill (Renton
Opposition)

Public Safety Committee Chair Schlitzer presented a report recommending concurrence with the Mayor's position opposing the draft Regional Services Funding Bill as outlined by King County Sheriff Dave Reichert. MOVED BY SCHLITZER, SECONDED BY EDWARDS, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Boards/Commissions: Park Board, Kenndale Open Space Request

Correspondence was read from Tim Searing, Chair of the Park Board, responding to Council's directive that the Board consider a citizen request that Renton purchase five lots along the north bank of the Kenndale Creek ravine as part of the Labrador development proposal. The Park Board unanimously supported the staff recommendation that the probable cost to acquire these parcels outweighs the benefits to the community. However, the Board encouraged the City to work with the developer to increase the amount of land preserved in this area, and further supported the plan to retain the creek as natural open space via a native growth protection easement.

Finally, the Board recommended against establishing a public trail in this area because of the proliferation of small, privately-held properties in the suggested trail corridor, together with the steep and erosive slopes in the general area.

Responding to Council inquiry, City Attorney Lawrence J. Warren confirmed that Council should make no decision related to this item until it is clear that it will no longer be an appellate body, since this issue is narrowly focused on a particular development application. He agreed, however, that this would be appropriate information for the Hearing Examiner at this time.

MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL REFER THIS MATTER TO THE HEARING EXAMINER FOR INCLUSION IN THE OFFICIAL RECORD ON THE PROPOSED LABRADOR VENTURES SUBDIVISION PROJECT. CARRIED.

ORDINANCES AND RESOLUTIONS

Resolution #3370

Finance: Authorized Signatures for Bank Transactions

The following resolution was presented for reading and adoption:

A resolution was read authorizing signature for depositories and electronic fund transfers on behalf of and in the name of the City of Renton. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

The following ordinance was presented for second and final reading:

Ordinance #4763

Rezone: SW 16th St from IM to Co, Martin Smith Real Estate Services (R-98-131)

An ordinance was read changing the zoning classification of approximately 2.9 acres located at the 900 block of SW 16th St. from IM (Medium Industrial) to CO (Commercial Office) for Martin Smith Real Estate Services (R-98-131). MOVED BY PARKER, SECONDED BY EDWARDS, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. MOTION CARRIED.

NEW BUSINESS

Council: 2/15/99 Meeting Cancellation

MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CANCEL THE REGULAR CITY COUNCIL AND COMMITTEE OF THE WHOLE MEETINGS FOR FEBRUARY 15, 1999, IN OBSERVANCE OF PRESIDENTS' DAY. CARRIED.

ADJOURNMENT

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL ADJOURN. CARRIED. Time: 9:38 p.m.

Recorder: Brenda Fritsvold
January 25, 1999